

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVI PUEVLA,

Defendant.

CASE NO. 8:03CR187

ORDER

This matter comes before the court on the Motion to Continue Defendant's Rule 35 Sentencing (Filing No. 331) currently scheduled for May 26, 2005. Having considered the matter,

IT IS ORDERED that:

1. The Defendant's motion, Filing No. 331, is granted.
2. The hearing for reduction of sentence pursuant to Rule 35(b) has been rescheduled for **Monday, June 27, 2005 at 3:15 p.m.**, before the undersigned United States District Judge, in Courtroom No. 2, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.
3. Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw.
4. **The Marshal is directed to return the defendant to the district for this hearing. If the defendant at a later date decides to waive his right to be present at the hearing, he may do so (at least 6 weeks prior to the hearing) by contacting his attorney who shall then inform the court and the U.S. Marshal of defendant's decision. In that event, the defendant may participate telephonically in the hearing by informing his attorney, who in turn shall supply this court with a telephone number at which the defendant may be reached for the hearing.**

Dated this 25<sup>th</sup> day of May, 2005.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge